

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Cr. Nos. 17-10054-MLW
)	20-10312-MLW
STEPHEN D. WILLIAMS,)	
Defendant.)	

ORDER

WOLF, D.J.

January 21, 2022

After hearings on December 21, 2021, and January 14, 19, and 21, 2022, the court finds that: (a) defendant Stephen Williams has Stage IV colon cancer; (b) as of January 14, 2022, if Williams continued chemotherapy his life expectancy would be one and one-half to two years; (c) Williams tested positive for COVID-19 on January 19, 2022; (d) on January 20, 2022, Williams was transported from the Plymouth County Correctional Facility ("Plymouth") to the Beth Israel Deaconess Hospital - Plymouth because his health had deteriorated since he was discharged to Plymouth from St. Elizabeth's Medical Center on January 15, 2022, and he was weak, unable to ambulate, or to complete his activities of daily living independently; and (e) after being treated in the Emergency Room, Williams was returned to Plymouth, where he has difficulty eating the food he has been served.

In view of the foregoing, and for the reasons more fully explained in the partial transcript of the January 21, 2022 hearing attached as Exhibit 1, it is hereby ORDERED that:

1. Williams' Motion for an Indicative Ruling Under Fed. R. Crim. P. 37(a)(3) (Dkt. No. 120) in Criminal No. 17-10054-MLW is ALLOWED. The court finds that Williams' Emergency Motion for Compassionate Release Under 18 U.S.C. §3582(c)(1)(A) (the "Motion") (Dkt. No. 119) raises a substantial issue and that, if the Court of Appeals for the First Circuit remands for the purpose of ruling on the Motion, the court will allow the Motion and re-sentence Williams as follows:

a. The court will modify Williams' sentence of imprisonment to time-served after he has cleared COVID-19 protocols.

b. The court will impose a term of Supervised Release equal to what would have been the remainder of his sentence (approximately six months), on the mandatory, standard, and special conditions imposed at sentencing on March 27, 2018, except for the condition that he reside at a Residential Re-Entry Center, and on the following special conditions:

(i) Williams shall be remanded to the custody of his daughter Sharese Tate and reside with her at 144 Perkins Avenue Brockton, Massachusetts 02302. He will be subject to home incarceration on location monitoring (either GPS or RF as Probation deems most appropriate), and will only be permitted to leave for medical appointments, drug testing and treatment, and

mental health treatment, as approved in advance by Probation; any medical emergency reported to Probation within 24 hours; and court appearances or other activities approved by the court.

(ii) Williams shall not consume any alcoholic beverage.

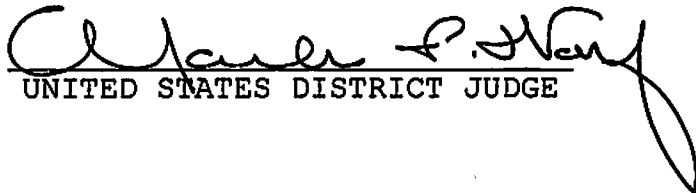
(iii) Williams shall participate in a substance abuse treatment program as directed by the Probation Office, which may include up to 104 tests per year to determine whether he has used drugs or alcohol.

(iv) Williams shall participate in a mental health treatment program as directed by the Probation Office and take any medications prescribed by his mental health providers.

2. The court will also terminate Williams' pre-trial detention in Criminal No. 20-10312-MLW and order his release on the foregoing conditions.

3. Williams shall promptly notify the Clerk of the Court of Appeals of this ruling and Order. See Fed. R. Crim. P. 37(b); Fed. R. App. P. 12.1.

4. The parties shall order the transcript of the January 22, 2022 hearing.


UNITED STATES DISTRICT JUDGE